



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. PD-0623-16

THE STATE OF TEXAS

v.

ROSA ELENA ARIZMENDI, Appellee

ORDER REGARDING REPRESENTATION
POTTER COUNTY

This order was delivered per curiam.

ORDER

Pursuant to plea agreement, Appellee waived her right to file a motion for new trial and pled guilty in the 108th District Court of Potter County. Appellee was sentenced to confinement for 25 years and fined \$5,000. The trial court granted Appellee's motion for new trial and the State appealed. The court of appeals affirmed the trial court's decision to grant a new trial. State v. Arizmendi, No. 07-15-00238-CR (Tex. App. — Amarillo, delivered May 19, 2016). The State's petition for discretionary review was granted by this Court on September 14, 2016. Appellee is

entitled to representation before this Court at this time. See Article 1.051(a)(d)(2), V.A.C.C.P. It appears that Appellee is without representation in this court. Accordingly, the trial court is ordered to determine if Appellee is currently represented by counsel, and if so, to inform this court who represents Appellee. If Appellee is not currently represented by counsel and desires counsel, the trial court must first determine whether Appellee is indigent. If the trial court finds Appellee is indigent, that court shall appoint an attorney to represent Appellee before this court in regard to PDR No. PD-0623-16, in accord with the provisions of Articles 1.051 and 26.04, V.A.C.C.P. Any hearing conducted pursuant to this order shall be held within 30 days of the date of this order. The trial court's order appointing counsel, any findings of fact, affidavits, or transcription of the court reporter's notes and any other supplementation of the record shall be returned to this court within 45 days of the date of this order.

IT IS SO ORDERED THIS THE 11th DAY OF OCTOBER, 2016

DO NOT PUBLISH